

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
April 28, 2003

D041506 In re Danielson on Habeas Corpus

The petition is denied.

D041572 Granada Hills Community Hospital et al. v. Workers' Compensation Appeals Board et al.

The petition is denied.

D041864 Bonnie B. v. Superior Court of San Diego County/San Diego County Health and Human Services Agency

The attorney for petitioner Bonnie B. has notified the court on behalf of the petitioner that a Petition for Writ of Mandate under Rule 39.1B will not be filed as there are no viable issues for writ review. The case is dismissed.

D040800 People v. Cole

The judgment is affirmed. Kremer, P.J.; We Concur: Huffman, J., O'Rourke, J.

D041474 C.S. v. Superior Court of San Diego County/San Diego County Health and Human Services Agency

The petition is denied. Huffman Acting P.J.; We Concur: Nares, J., McConnell, J.

D041890 Feldstein v. Superior Court of San Diego County/Letson

The petition is denied.

D041259 Franklin v. North County Ford et al.

Appellant has failed to file a brief after notice given pursuant to California Rules of Court, rule 17(a). The appeal is dismissed.

D041408 Niebrugge et al. v. Hesters

Appellant has failed to file a brief after notice given pursuant to California Rules of Court, rule 17(a). The appeal is dismissed.

D039079 People v. Winter

D040352 In re Winter on Habeas Corpus

(consolidated) The petition for rehearing is denied.

D040708 Hartone Fortune, LLC v. University Towne Centre, LLC

D041477 University Towne Centre, LLC v. Hartone Fortune, LLC

This court's order filed March 5, 2003, consolidating the above-entitled cases and setting a briefing sequence is vacated. Upon written request by appellant, the appeal filed August 19, 2002 from the judgment entered on July 2, 2002, Court of Appeal case number D040708, is dismissed and the remittitur is ordered to issue immediately. Costs on appeal are awarded to respondent University Towne Centre, LLC. The appeal filed January 2, 2003 from the order filed November 14, 2002 granting attorneys fees, Court of Appeal case number D041477, shall proceed. The record in D040708 is incorporated by reference in D041477.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
April 28, 2003 (continued)

D041905 Cotton v. Jambor

The appeal is dismissed.

D041015 Mendoza v. City of San Diego

Appellant has failed to file a brief after notice given pursuant to California Rules of Court, rule 17(a).
The appeal is dismissed.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
April 29, 2003

D039129 Mendoza v. Lane et al.

The petition for rehearing is denied.

D038407 Jennifer B. v. San Diego Unified School District

The judgment is affirmed. Nares, Acting P.J.; We Concur: O'Rourke, J., McConnell, J.

D036897 People v. Hopper

The judgment is modified to strike the three-year gang enhancement under section 186.22, subdivision (b)(1), and, as so modified, affirmed. The trial court is directed to prepare an amended abstract of judgment reflecting the modification and to forward a certified copy of the amended abstract to the Department of Corrections. Huffman, Acting P.J.; We Concur: Haller, J., O'Rourke, J.

D040840 In re Angel R., a Juvenile

The judgment is affirmed. Nares, J.; We Concur: Kremer, P.J., Huffman, J.

D040823 People v. Lopez

The judgment is affirmed. Kremer, P.J.; We Concur: Huffman, J., O'Rourke, J.

D040668 In re David B., a Juvenile

D041253 In re Rebecca C. on Habeas Corpus

The petition for writ of habeas corpus In re Rebecca C. D041253, is consolidated with the pending appeal, In re David B. D040668, for disposition.

D040668 In re David B., a Juvenile

D041253 In re Rebecca C. on Habeas Corpus

The judgment is affirmed. The petition for writ of habeas corpus is denied. Haller, J.; We Concur: Kremer, P.J., McDonald, J.

D041625 Sharp Mesa Vista Hospital et al. v. Superior Court of San Diego/Hurley

The petition is denied.

D041663 TTN Thousand Trails, Inc. v. Workers' Compensation Appeals Board/Walker

The petition is denied.

D041574 Trudi N. et al. v. Superior Court of San Diego County/San Diego County Health and Human Services Agency.

By failing to file a timely petition for writ relief, the notice of intent is deemed to be abandoned. The case as to Anthony N. is dismissed.

Response to Trudi N.'s petition for writ of mandate is due 10 days from the date of this order.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
April 30, 2003

D041531 Robert E. v. Superior Court of San Diego County/San Diego County Health and Human Services Agency

The petition is denied. Huffman, Acting P.J.; We Concur: Nares, J., McConnell, J.

D041299 People v. Garrison

Appellant has failed to file a brief after notice given pursuant to California Rules of Court, rule 37(b). The appeal is dismissed.

D039846 People v. Rankin

The judgment is affirmed. Huffman, J.; We Concur: Kremer, P.J., O'Rourke, J.

D039290 People v. Jones

The judgment is affirmed. Haller, J.; We Concur: Nares, J., McIntyre, J.

D041883 Gomez v. Superior Court of San Diego County/Regents of The University of California

The petition is denied.

D041593 Dru v. Foufas

The appeal is dismissed.

D038790 Castillo, Jr. v. San Diego Transit Corporation et al.

Upon written stipulation filed by the parties to the appeal, the appeal and cross appeal are dismissed and the remittitur is ordered to issue immediately. Each party to bear own costs on appeal.

D038058 Castillo, Jr. v. San Diego Transit Corporation et al.

Upon written stipulation filed by the parties to the appeal, the appeal and cross appeal are dismissed and the remittitur is ordered to issue immediately. Each party to bear own costs on appeal.

D042049 In re the Estate of Justice, Deceased

The petition is denied.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
May 1, 2003

D039146 People v. Jones

The opinion filed April 1, 2003, is ordered certified for publication with the exception of parts V and VI. The attorneys of record are:

George L. Schraer under appointment by the Court of Appeal for Defendant and Appellant.
Bill Lockyer, Attorney General; Robert R. Anderson, Chief Assistant Attorney General; Gary W. Schons, Senior Assistant Attorney General; Holley A. Hoffman and Marvin E. Mizel, Deputy Attorneys General, for Plaintiff and Respondent.

D041285 In re Emily H., a Minor

The petition for rehearing is denied.

D038343 Benson v. Killingsworth

The judgment is affirmed. Benson and Brack to recover the costs they incurred in responding to Killingsworth's appeal. Killingsworth to recover costs he incurred in responding to Benson's cross-appeal. Benke, J.; We Concur: Kremer, P.J., McDonald, J.

D039291 People v. Steed

The petition for rehearing is denied.

D041051 In re M.C., a Juvenile

The judgments terminating Mother and Alejandro's parental rights to M. and Esteban are reversed. The court is ordered to hold a hearing on the merits of Mother's section 388 petition. If the court determines Mother does not meet her burden of proof at the evidentiary hearing and denies the petition on its merits, the court is directed to hold a new section 366.26 hearing. O'Rourke, J.; We Concur: Kremer, P.J., Nares, J.

D038741 In re Bailey B., a Juvenile

Judgment affirmed. Nares, Acting P.J.; We Concur: Haller, J., O'Rourke, J.

D041028 Adoption of Coby H. et al.

The judgment is affirmed. Aaron, J.; We Concur: Kremer, P.J., Huffman, J.

D039479 Garrison v. Hodge et al.

The judgment is affirmed. Huffman, APJ.; We Concur: Nares, J., Haller, J.

D040839 In re Sarah N., a Juvenile

D041221 In re Sarah N., a Juvenile

(consolidated) The order denying the Welfare and Institutions Code 388 motion (In re Sarah N., D040839) is dismissed as moot. The judgment in In re Sarah N., D041221 is reversed and remanded for the Superior Court to vacate its orders following the contested review hearings held on August 6, 2002 and November 14, 2002, and to hold a new evidentiary hearing at its earliest convenience based on the current circumstances. Pursuant to the stipulation of the parties, the remittitur is to issue immediately. (Cal. Rules of Court, rule 26(c).) Huffman, Acting P.J.; We Concur: Nares, J., McConnell, J.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
May 1, 2003 (continued)

D039048 People v. Wright
The petition for rehearing is denied.

D038024 Mitchell v. Shain
The petition for rehearing is denied.

D038942 People v. Couls
The petition for rehearing is denied.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
May 2, 2003

D041994 In re Harbour on Habeas Corpus

The petition is denied.

D041634 In re Govind on Habeas Corpus

The petition is denied.

D041576 In re Pham on Habeas Corpus

The petition is denied.

D041541 In re Outten on Habeas Corpus

A decision of a Court of Appeal becomes final as to that court immediately after filing upon the denial of a petition for a writ within its original jurisdiction without issuance of an order to show cause. This court is without jurisdiction to grant rehearing or reconsideration after summary denial of a petition for a writ. The petition for rehearing is denied.

D040552 Clark v. Depositor's Insurance Company et al.

Upon written stipulation filed by the parties, the appeal is dismissed.

D039725 People v. Villa

The judgment is affirmed. McIntyre, J.; We Concur: Benke, Acting P.J., McDonald, J.

D040101 Bedford v. PWGR, Inc.

The judgment is affirmed. McIntyre, J.; We Concur: Kremer, P.J., McDonald, J.

D039401 Hubbard v. Bruns

The judgment is affirmed. McIntyre, J.; We Concur: Kremer, P.J., McDonald, J.

D041652 In re Aparicio on Habeas Corpus

The petition is denied as duplicative.